

**PUBLIC SAFETY DEPARTMENT[661]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 103A.7 as amended by 2009 Iowa Acts, chapter 142, the Building Code Commissioner hereby gives Notice of Intended Action to adopt new Chapter 315, “Weather Safe Rooms,” Iowa Administrative Code, with the approval of the Building Code Advisory Council.

With the enactment of 2009 Iowa Acts, chapter 142 (House File 705), the Building Code Commissioner was directed to establish requirements for the design and construction of safe rooms and storm shelters. The rules proposed herein would establish requirements for “weather safe rooms” built for safety from the hazards of tornadoes. Such standards exist for other weather events, particularly hurricanes; however, tornadoes are the primary concern for safety from weather events in Iowa, so the standards proposed reflect this. There is a nationally accepted standard for the design and construction of such facilities, published jointly by the International Code Council and the National Storm Shelter Association, and that standard is used as the basis for the rules proposed herein. The standard is integrated with the family of building codes published by the International Code Council, several of which have been adopted by the Building Code Commissioner.

The statute requires that the Building Code Commissioner consult with the Iowa Department of Public Defense, the Iowa Department of Natural Resources, and the Rebuild Iowa Office prior to commencing with this rule making. Each of these agencies was consulted, as were a number of other state agencies, including the Board of Regents, the Department of Education, the Department of Corrections, the Department of Human Services, the Department of Agriculture and Land Stewardship, the Department of Inspections and Appeals, the Department of Transportation, and the Department of Administrative Services.

It should be noted that the rules proposed herein would become a part of the State Building Code when adopted. However, neither these rules nor the underlying statute requires the construction of weather safe rooms. Rather, the standards will apply if a weather safe room is being constructed, whether it is required as part of the construction by another provision of law or is being included in a project voluntarily.

There will be a public hearing regarding the proposed rules at 10 a.m. on March 2, 2010, in the First Floor Public Conference Room 125, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines. Any interested person may comment on the proposed rules orally, in writing, or both at the public hearing, or may submit written comments by mail or E-mail at any time until 4:30 p.m. on March 8, 2010. Comments may be mailed to Agency Rules Administrator, Iowa Department of Public Safety, 215 East 7th Street, Des Moines, Iowa 50319, or submitted by E-mail to [admrule@dps.state.ia.us](mailto:admrule@dps.state.ia.us).

Provisions of the State Building Code are subject to provisions for consideration of alternate materials or methods of construction as specified in Iowa Code section 103A.13.

These rules are intended to implement 2009 Iowa Acts, chapter 142.

The following amendment is proposed.

Adopt the following **new** 661—Chapter 315:

**CHAPTER 315  
WEATHER SAFE ROOMS**

**661—315.1(83GA,ch142) Scope.** The standards adopted in this chapter shall apply to the design and construction of weather safe rooms constructed on or after January 1, 2011. The rules in this chapter do

not require the construction of a weather safe room or rooms for any construction project but establish standards for design and construction of weather safe rooms when their construction is required by another provision of law or is incorporated voluntarily in a construction project.

**661—315.2(83GA,ch142) Definition.** The following definition shall apply to this chapter:

*“Weather safe room”* means a building, structure, or portion of a building or structure built in accordance with the requirements established in this chapter and designated for use during a severe wind storm event.

**661—315.3(83GA,ch142) Requirements.** Any weather safe room constructed on or after January 1, 2011, shall be designed and constructed in compliance with the provisions of ICC 500-2008, ICC/NSSA Standard for the Design and Construction of Storm Shelters, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, D.C. 20001. Any provision which would apply to a hurricane safe structure, but not to a tornado safe structure, shall not apply. For any provision for which a distinction is made between a tornado safe structure and a hurricane safe structure, the requirement for a tornado safe structure shall apply.

These rules are intended to implement 2009 Iowa Acts, chapter 142.